

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1582-04  
Bill No.: HCS for HB 679 & 396  
Subject: Children and Minors; Domestic Relations; Family Services Division  
Type: Original  
Date: April 7, 2003

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
General	(Unknown greater than \$4,309,409)	(Unknown greater than \$22,486,473)	(Unknown greater than \$24,262,775)
<b>Total Estimated Net Effect on General Revenue Fund</b>	(Unknown greater than \$4,309,409)	(Unknown greater than \$22,486,473)	(Unknown greater than \$24,262,775)

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
Criminal Record Systems	\$1,601,702	\$215,961	\$211,855
Urban and Teacher Education Revolving Fund*	\$0	\$0	\$0
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$1,601,702</b>	<b>\$215,961</b>	<b>\$211,855</b>

\*Income and costs of \$4,700,000 in FY 04 and \$1,000,000 in subsequent years would net to \$0.

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 18 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
<b>Federal*</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*Income and expenses of unknown but exceeding approximately \$13,000,000 would net to \$0.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
<b>Local Government</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

## **FISCAL ANALYSIS**

### **ASSUMPTION**

Officials from the **Missouri Senate**, the **Missouri House of Representatives**, the **Department of Health and Senior Services**, the **Office of Prosecution Services**, and the **State Public Defender** assume this proposal would not fiscally impact their agencies.

The **Office of Attorney General** assumes that any potential costs arising from this proposal could be absorbed with existing resources.

Officials from the **Department of Mental Health (DMH)** state that there would be no fiscal impact under the provisions of Section 208.204 since such services are "subject to appropriations". Further, the DMH states the provisions for a comprehensive children's mental health services system under Section 630.097 do not require additional costs to the DMH since such a system is presently utilized under current funding and any additions to services under this provision would be sought as needed through additional appropriations. The DMH states since such services are not currently seen as "entitlement" services, such expansion of services would

automatically be "subject to appropriations". Therefore, there is no fiscal impact to the DMH.

ASSUMPTION (continued)

Officials from the **Office of the Secretary of State (SOS)** state this proposal creates various foster care changes. The Department of Social Services could promulgate rules to enact this legislation. Based on experience with other divisions, the rules, regulations and forms issued by the Department of Social Services could require as many as 30 pages in the *Code of State Regulations*. For any given rule, roughly one-half again as many pages are published in the *Missouri Register* as are published in the Code because cost statements, fiscal notes and notices are not published in the Code. The estimated cost of a page in the *Missouri Register* is \$23.00. The estimated cost of a page in the *Code of State Regulations* is \$27.00. The actual costs could be more or less than the numbers given. The fiscal impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded and withdrawn. The SOS estimates the cost of this legislation to be \$1,8450 [(30 pp x \$27) + (45 pp x \$23)].

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Department of Elementary and Secondary Education (DESE)** state the DESE would object to being included in the requirement for monthly meetings per Section 210.518, but would assume no fiscal impact.

The DESE states Section 211.032 would allow any child upon request of the foster family to be permitted to continue to attend the same school that the child was enrolled in and attending at the time the child was taken into custody by the DFS. The DESE states costs related to this provision are unknown but could be significant. In addition, the DESE states it is not clear who would be responsible for these costs. The DESE estimates transportation costs could easily be \$100 per child per day for 174 days of the school year.

**Oversight** assumes that in most cases, the DFS would place a child in foster care in the same school district the child was attending, thereby minimizing transportation costs.

The DESE states Section 168.283, requires that prior to employment, no school employee shall have unsupervised contact with pupils until the individual has obtained a criminal history background check. DESE states, for FY 2002, there were 124,465 pupil-contact individuals throughout the state's districts. At \$36 each for the national and state background checks, DESE

estimates the cost to school districts to be \$4,480,740 ( $124,465 \times \$36$ ) in FY 04. Average turnover for teachers, administration, librarians, special services, and certified personnel in ASSUMPTION (continued)

Missouri's elementary, junior high, and high schools is 22 percent. Assuming a 22 percent turnover rate, DESE estimates the cost for FY 05 to be \$5,466,503 ( $\$4,480,740 \times 1.22$ ) and the cost for FY 06 to be \$6,669,133 ( $\$5,466,503 \times 1.22$ ).

**Oversight** assumes criminal history background check would be obtained before the employee has unsupervised contact with pupils and the background check on each employee would not be obtained annually. Therefore, based on 124,465 pupil-contact individuals and a 22 percent turnover, Oversight assumes 124,465 background checks in FY 04 and 27,382 in subsequent years. Oversight assumes the amount collected and passed through to the Missouri State Highway Patrol for criminal history checks to be \$4,729,670 ( $124,465 \times \$38$ ) in FY 04 and \$1,040,516 ( $27,382 \times \$38$ ) in each subsequent year. Oversight is showing the fiscal impact to school districts as a cost of \$0 to \$4,729,670 in FY 04 and \$0 to \$1,040,516 in subsequent years because the language is permissive. It would be a local school district decision as to how much of the cost to reimburse to the individuals.

Officials from the **Department of Public Safety - Missouri State Highway Patrol (MHP)** state the MHP's Criminal Records and Identification Division would require 5 new FTE as a result of this proposal to do background checks. The MHP would likely place most of the FTE on 2nd and 3rd shift, so they would not require any equipment. These FTE would be 3 Fingerprint Technicians, 1 AFIS Entry Operator, and 1 Fingerprint Technician Supervisor. The MHP has determined that the related personal service cost would be \$92,750 in FY 04; \$116,935 in FY 05; and \$119,858 in FY 06.

**Section 168.283 fingerprints-year 1:**

The cost per each fingerprint check is \$38 (\$14 for state check, \$24 for FBI check pass through)  $124,465 \times \$38 = \$4,729,670$ .

Of this amount, \$2,987,160 ( $124,465 \times \$24$ ) will be passed through to the FBI for the cost of the FBI fingerprint checks.

**Section 168.283 fingerprints-year 2 and beyond:**

The cost per each fingerprint check is \$38 (\$14 for state check, \$24 for FBI check pass through)  $27,382 \times \$38 = \$1,040,516$ .

Of this amount, \$657,168 ( $27,382 \times \$24$ ) will be passed through to the FBI for the cost of the FBI fingerprint checks.

ASSUMPTION (continued)

**Section 210.487 fingerprints-year 1:**

The MHP does not require foster parents to pay the state portion of background checks. Therefore, the cost per background check is \$24 per check.

$32,071 \times \$24 = \$769,704.$

All of this amount will be passed passed through to the FBI for the cost of the FBI fingerprint checks.

**Section 210.487 fingerprints-year 2 and beyond:**

$19,160 \times \$24 = \$459,840.$

All of this amount will be passed passed through to the FBI for the cost of the FBI fingerprint checks.

**INFORMATION SYSTEMS DIVISION**

The Patrol's Information Systems Division anticipates an increase in the number of additions and modifications at the State Data Center based on the number of checks created by the proposed legislation.

The MHP estimates that the number of fingerprint backgrounds would increase by 156,536 in the first year. After the initial onset of backgrounds, it is estimated that there would be 46,542 each year. This would require 156,536 applicant/participant records be created and modified in the first year, and 46,542 to be modified annually. The MHP estimates these State Data Center costs would be \$10,522 in FY 04 and \$3,128 each subsequent year.

Officials from the **Department of Social Services - Division of Family Services (DFS)** state:

**Section 207.085**

The DFS states this section provides that there are grounds for dismissal for any officer or employee of the DFS involved with child protective services who purposely or knowingly violates a stated or written policy, rule promulgated by the DFS, or any state law related to the Child Abuse and Neglect activities of the DFS if the violation results in serious physical injury or death.

However, this section also makes allowances for those instances in which caseload standards are exceeded as this may be considered a mitigating factor in determining whether an employee is dismissed.

ASSUMPTION (continued)

**Section 208.204**

This section requires the transfer of funds to the Department of Mental Health for those children identified as being in the custody of DFS solely for the purpose of mental health issues where no abuse or neglect has occurred. It is unknown what the fiscal impact of this would be however, if only 2 children were in residential treatment psychiatric level for 1 entire year the cost would be in excess of \$100,000; therefore, this component of the fiscal note is unknown greater than \$100,000.

**Section 210.025**

The DFS states preponderance of evidence requires more evidence resulting in a need for staff to be certified forensic investigators. Training for such specialization is provided by "Finding Words", currently being utilized by CACs in Missouri. Cost is \$475 per trainee. As of Fiscal Year 2003, Missouri has a total of 1,384.42 workers budgeted. The privatization of St. Louis City, Greene County, and the 37th Judicial Circuit will result in a core reduction of 187 workers. The fiscal impact for training the remaining 1,198 (1,385 - 187) is \$569,050 initial training costs. Social Service Worker turnover is approximately 20% per year, therefore, ongoing training for subsequent years is also included in the fiscal note.

**Section 210.145**

This section would require supplying staff with video and audio equipment in order to record all child interviews. If the DFS only supplies each investigator with an audio recording device, the estimated cost of each device is \$657. Calculations of investigative worker of 1,198 multiplied by the cost of each device at \$657, results in a total cost for implementing this portion at \$787,086.

**Section 210.112**

This section would require the DFS to contract for services which are currently provided by DFS staff. The counties of Greene, St. Louis City and a rural site are named. A portion of those staff will need to remain to provide technical support and oversight of the contracted agencies. DFS staff will need to determine which agency shall provide services in the event of multiple awards. Initially staff of contracted agencies would need to be trained on DFS policy. Training would have to be provided on an on-going basis as policy changes. In addition, DFS staff would be needed to monitor outcomes, evaluate the performance of each contracted agency, make payments, and enter information into the DFS's database for the purposes of Federal reporting,

ASSUMPTION (continued)

payments etc. (The latter assumes the contracted agencies will not have access to the DFS's database. There is cost associated with dial-up accessibility. In addition, there would have to be accountability for the budget if contracted agencies were given the authority/access to authorize payment of children's treatment services.) Finally, DFS staff are federally mandated to sign each case plan. Several of these tasks are included in a supervisor's role. As such, DFS staff need to remain at the equivalent of 1 per every 7 contracted workers.

The proposal refers to services provided to children in the custody of DFS but further defines those services to include services provided to intact families such as family reunification, family-centered and intensive in-home services.

Staff would have to be terminated as caseloads would have to be maintained until the transition which would not allow for staff to be lost through attrition. A plan for such would have to be created. Staff would later have to be hired due to the sunset clause. The training unit would have to be increased, decreased, and then increased again to accommodate the volume of the training needs of newly hired staff by the contracted agencies and the DFS.

This section also requires that each county submit a plan for implementation of the project. The plan shall be developed by a committee of no more than 15 members including DFS staff, private agency, judicial court, child advocates, attorney representing parents, volunteer advocates or Gals, Department of Mental Health, community partners, and other community representative.

All court personnel, GALs, CASAs and judges must be trained on the Structured Decision Making model.

An evaluation of the success of this pilot is required as well as a recommendation of its continuance or expansion. The evaluation shall be based on objective, consistent, and performance-based criteria. On or before July 15, 2005 and annually thereafter, the DFS and the courts will submit a report to the general assembly. The DFS estimates the cost to be \$30,000.

There is a sunset clause with an end date of December 31st, 2005, which would require the DFS to provide services after that time. In order to handle the influx of work, the DFS would have to begin hiring staff months prior to the December 31st date to accomplish the training that would be required. Costs to the state are increased by letting trained staff go, training contracted staff and later training DFS staff, and paying for staff of contracted agencies to attend training (a direct per diem cost is reflected in current contracts for the days spent in basic training). The potential cost to children and families is a lack of continuity which naturally occurs during such a

ASSUMPTION (continued)

transition.

A core reduction in Social Service Worker II and Clerical Staff will be realized; however, due to the infrastructure needed to maintain the contracts, an increase in SSS I will be needed. Because both Greene County and St. Louis City staff are in state-owned facilities, no decrease in rent has been taken. In addition, due to expiring leases that are being renegotiated elsewhere in the state, rent reductions were not taken in the 37th circuit.

In the event contracted agencies do not perform well, there can be financial penalties to the State for permanency outcomes and other outcomes which are addressed in the Child and Family Service Reviews. There is a risk to the State, and no risk to the contracted agencies as the legislation is written.

There is also the cost to the state simply for contracting for the services. With such costs that will be incurred, other programs in the State of Missouri will likely be affected.

To calculate the fiscal impact of the case management plan, the cost savings from a decrease in DFS staff, including their E & E expenses, was subtracted from the amount it will cost the DFS to contract for the child welfare services. The number of staff needed to perform case management functions was multiplied by \$30.00 per day, the 14 families they will carry at any given time, and the number of days in the year (365). The number of staff needed to provide intensive in-home services was multiplied by \$164 per day, the number of families they will serve annually, and the number of days in the year (365). The number of staff needed to provide Family Reunification services was multiplied by \$155 per day, the number of families they will serve annually, and the number of days in the year (365). The number of staff needed for each program is based on Council on Accreditation standards, with the exception of case management. The current case management contracts allow contracted agencies to carry a caseload of 14 families which exceeds the COA standard of 12. It is also based on the number of families served during the previous state fiscal year. However, the families which were on a waiting list for Intensive in-home services during the previous state fiscal year were added to the proposed number of families that will be served during calendar year 2004 and 2005. The DFS estimates total cost of the pilot project to be \$39,862,583 in FY 05 and \$41,912,014 in FY 06.

DFS assumes staff which currently serve the Independent Living program would be replaced with contracted staff at comparable salaries.

DFS staff will be needed to provide technical support and oversight of the contracted agencies. As their duties most closely resemble that of a supervisor, one DFS staff was added for every 7

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ASSUMPTION (continued)

contracted workers in accordance with current supervisory ratios. The merit classification for these workers would be a Social Supervisor I. All related expenses were included.

Foster/adoptive parent recruitment and retention is a duty of the DFS's alternative care staff. As such, this service is already figured in to the cost for contracted case management services.

Residential care and mentoring services are provided through contracted agencies already. There is no impact as the result of their inclusion in the case management plan.

While training costs could increase, contracted agencies may hire trained child welfare staff. These costs could also increase in the event the contracts are terminated at the end of the 2 year pilot. Since the actual training needs are not known the fiscal impact was not determined.

Incentives to the contracted providers were not calculated as this is to correspond to cost savings to the state.

**Section 210.487**

The DFS assumes the Division of Children's Services will incur all background check expenses. Assume fingerprint checks will be necessary for all current foster/adoptive homes as well as new licensures, re-licensures and emergency placements and these costs would not be passed on to the prospective adoptive or foster parent.

In FY 2002, the Division of Children's Services was responsible for licensing, maintaining and re-licensing approximately 16,036 foster, relative, adoptive, and group homes. Each licensure and re-licensure requires a criminal history record check of every person in the home 18 years or over. Currently, these name-search checks are run through the Highway Patrol and the customary fee of \$5 per request is waived through an agreement between the Division of Children's Services and the Highway Patrol. This proposal indicates the cost for fingerprint checks is not to exceed \$14 for every in state fingerprint request. We assume, based upon information from the Highway Patrol that this will be waived for foster and adoptive parents. In addition, a \$24 fee will be required to process the FBI fingerprint check. Currently, this expense is not included in the Division budget.

ASSUMPTION (continued)

Officials from the **Office of State Courts Administrator (CTS)** state this proposal would revise various statutes relating to the protection of children. The CTS states this proposal (Section 210.145.13) requires that an emergency child protection team be used whenever conducting an emergency preliminary investigation of a Child Abuse and Neglect report (CAN). This emergency child protective team consists of the DFS worker, the juvenile officer and, if necessary, local law enforcement. The CTS states in FY 2002 there were 54,419 total CAN reports. Of those reports, 11,564 were coded as "emergency". The CTS states this information was obtained from DSS/DFS from their Research and Evaluation division.

The CTS assumes it would take a minimum of four hours of the Juvenile Officer's time to participate in each investigation. Therefore, 46,256 (11,564 emergency cases x 4 hours) direct service work hours would be needed statewide.

The CTS states the Juvenile Weighted Workload estimates that each officer has 110.3 work hours per month to complete direct service work. These 110.3 (1,324 per year) direct service hours exclude annual leave, sick leave, and holiday time. Therefore, the CTS estimates 35 (46,256 additional hours/1,324 direct service hours available) additional officers statewide would be necessary to complete investigations as provided by this legislation. The CTS estimates personal service costs and fringe benefit costs would be \$1,574,296 in FY 04.

In addition, the CTS states there would be some significant, but unknown, costs to the counties for space (sometimes leased), office equipment, and other tangibles to house and provide for the 35 additional juvenile officers.

Additionally, CTS estimates there will be unknown E & E costs to the counties for the necessary videotape or audiotape equipment required by the legislation for all interviews, and for any other related expenses. We have no way of estimating these costs.

**Oversight** assumes expense and equipment costs (based on other state agencies' requests) would be \$400,341 in FY 04; \$114,783 in FY 05; and \$118,226 in FY 06.

**Oversight** assumes there will be an unknown cost to local law enforcement.

Officials from the **Department of Corrections** did not respond to our fiscal note request. However, in a similar response, they assumed no fiscal impact.

**This proposal would affect Total State Revenue.**

FISCAL IMPACT - State Government

FY 2004  
(10 Mo.)

FY 2005

FY 2006

**GENERAL REVENUE**

Savings (Costs) - Department of Social  
 Services-Division of Family Services

Personal Service (net loss 220 FTE)	(\$299,439)	\$4,256,285	\$4,362,692
Fringe benefits	(\$121,183)	\$1,722,519	\$1,765,124
Expense and equipment	(\$944,772)	\$254,359	(\$155,453)
Background checks	(\$508,005)	(\$303,494)	(\$303,494)
Training	(\$375,573)	(\$77,368)	(\$79,688)
Evaluation	(\$19,800)	(\$20,394)	(\$21,006)
Transfer of funds to Mental Health	(unknown greater than \$66,000)	(unknown greater than \$66,000)	(unknown greater than \$66,000)
Pilot project	\$0	(\$26,201,212)	(\$27,661,929)
Total <u>Costs</u> - Department of Social Services - Division of Family Services - CS	(Unknown greater than \$2,334,772)	(Unknown greater than \$20,435,305)	(Unknown greater than \$22,159,754)

Costs - Office of State Courts  
 Administrator

Personal Services (35 FTE)	(\$1,120,735)	(\$1,378,504)	(\$1,412,967)
Fringe benefits	(\$453,561)	(\$557,881)	(\$571,828)
Expense and Equipment	(\$400,341)	(\$114,783)	(\$118,226)
Total <u>Costs</u> - Office of State Courts Administrator	(\$1,974,637)	(\$2,051,168)	(\$2,103,021)

**ESTIMATED NET EFFECT TO  
 GENERAL REVENUE**

<u>(Unknown greater than \$4,309,409)</u>	<u>(Unknown greater than \$22,486,473)</u>	<u>(Unknown greater than \$24,262,775)</u>
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**CRIMINAL RECORD SYSTEMS  
 FUND**

Revenues – Missouri State Highway  
 Patrol

Fingerprint fees	\$5,499,374	\$1,500,356	\$1,500,356
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Costs – Missouri State Highway Patrol

Personal Service (5FTE)	(\$92,750)	(\$116,935)	(\$119,858)
Fringe Benefits	(\$37,536)	(\$47,324)	(\$48,507)
State Data Center charges	(\$10,522)	(\$3,128)	(\$3,128)
Pass through to FBI	<u>(\$3,756,864)</u>	<u>(\$1,117,008)</u>	<u>(\$1,117,008)</u>

<u>Total Costs</u> – MHP	<u>(\$3,897,672)</u>	<u>(\$1,284,395)</u>	<u>(\$1,288,501)</u>
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**ESTIMATED NET EFFECT ON  
 CRIMINAL RECORD SYSTEMS  
 FUND**

	<u>\$1,601,702</u>	<u>\$215,961</u>	<u>\$211,855</u>
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**URBAN AND TEACHER  
 EDUCATION REVOLVING FUND**

Income – Department of Elementary and  
 Secondary Education (DESE)

Receipts for criminal history checks	\$4,729,670	\$1,040,516	\$1,040,516
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Costs – (DESE)

To Missouri State Highway Patrol for criminal history checks	<u>(\$4,729,670)</u>	<u>(\$1,040,516)</u>	<u>(\$1,040,516)</u>
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**ESTIMATED NET EFFECT ON  
 URBAN AND TEACHER  
 EDUCATION REVOLVING FUND**

	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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**FEDERAL**

Income - Department of Social Services -  
 Division of Family Services

Federal Assistance	<u>Unknown</u> <u>greater than</u> <u>\$1,202,761</u>	<u>Unknown</u> <u>greater than</u> <u>\$10,527,278</u>	<u>Unknown</u> <u>greater than</u> <u>\$11,415,396</u>
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Costs - Department of Social Services-  
 Division of Family Services

Personal Service (net loss 220 FTE in FY 05 & FY 06)	(\$154,257)	\$2,192,632	\$2,247,448
Fringe benefits	(\$62,428)	\$887,358	\$909,542
Expense and equipment	(\$486,700)	\$131,034	(\$80,082)
Background checks	(\$261,699)	(\$156,346)	(\$156,346)
Training	(\$193,477)	(\$39,856)	(\$41,052)
Evaluation	(\$10,200)	(\$10,506)	(\$10,821)
Transfer of funds to Mental Health	(Unknown greater than \$34,000)	(Unknown greater than \$34,000)	(Unknown greater than \$34,000)
Pilot project	<u>\$0</u>	<u>(\$13,497,594)</u>	<u>(\$14,250,085)</u>
<u>Total Costs - Department of Social        Services - Division of Family Services</u>	(Unknown greater than \$1,202,761)	(Unknown greater than \$10,527,278)	(Unknown greater than \$11,415,396)

**ESTIMATED NET EFFECT ON  
 FEDERAL**

\$0                      \$0                      \$0

<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
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**POLITICAL SUBDIVISIONS**

<u>Costs – Local School Districts</u>			
Reimbursement to employees for criminal history checks	\$0 to (\$4,729,670)	\$0 to (\$1,040,516)	\$0 to (\$1,040,516)
Costs–Local law enforcement	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
<b>ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS</b>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

Section 168.283

Requires criminal background checks for all school employees

Section 207.085

DFS workers who knowingly or purposely violate any written policy, rule, or state law related to the child abuse and neglect activities of the DFS shall be grounds for dismissal if the violation results in serious injury or death results, the person shall be immediately dismissed.

Sections 208.152, 208.204, 211.181, and 630.097

Establishes a comprehensive mental health service system for children.

Sections 210.109, 210.110, 210.112

Establishes a pilot project in Green County, the City of St. Louis, and a rural county in the state to contract for direct services for children in DFS custody. By February 1, 2004, each county or city participating in the pilot project shall submit a plan for the implementation of the pilot project.

Section 210.145

Requires the DFS to set protocols for handling hotline investigations. Requires the use of Structured Decision-Making Model to be used.

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DESCRIPTION (continued)

Section 210.147

All information provided at any meeting or hearing held in relation to the removal of a child from the child's home is confidential, however, any parent or party may waive confidentiality for himself or herself.

Section 210.152

Requires all identifying information to be expunged if the DFS investigation finds no evidence of abuse or neglect and reduces the time for maintaining identifying information from ten to five years.

Section 210.160

Gives the guardian ad litem and court appointed special advocates the right to attend and be notified of all meetings involving the child. Gives the appointing judge authority to check the background of guardian ad litem and court appointed special advocates. Requires guardian ad litem to advocate for timely court hearings for children.

Section 210.187

Requires the Children's Juvenile Justice Task Force to provide an independent review of policies and procedures of state and local child protective services agencies.

Section 210.188

Requires the Department of Social Services to compile an annual report giving statistical information regarding the number of children receiving child protective services.

Sections 210.482 and 210.487

Requires a name-based criminal history check for persons 18 or older living with a child in emergency placement. The DFS is required to conduct a search for any adult in a foster parents' house for full orders of protection. The DFS will also obtain finger prints for adults in the household for a criminal history check.

Section 210.518

Requires monthly interagency meetings between the Department of Mental Health, the Department of Elementary and Secondary Education and the Department of Social Services.

Section 210.565

Requires the court to make specific findings why a child is put in placement with persons other than relatives.

DESCRIPTION (continued)

Section 211.031

Allows for a change of venue by application of parent or guardian.

Section 211.032

Requires a status hearing to be held within 72 hours of a child being taken into custody. Permits a protective custody hearing with 14 days. Requires an adjudication hearing to be held at 60 days. Requires a dispositional hearing at 90 days and a follow-up review by the court every 90 to 120 days for the first year, then at least once every six months. Upon request of the foster family and whenever possible, the child shall be permitted to continue to attend the same school that the child was enrolled in and attending at the time the child was taken into custody by the division. The division, in consultation with the department of elementary and secondary education, shall establish the necessary procedures to implement the provisions of this subdivision.

Section 211.059

Requires taping of child interviews or the presence of a third party who can testify to occurrences. If the proceedings are not taped or a third party is not present, the interview is not admissible in court.

Section 211.171

Foster parents shall be provided notice of all hearings to be held. Prohibits the granting of more than one continuance without a written finding on the record.

Section 211.321

Requires juvenile court proceedings to be open to the public unless the court chooses to close the proceedings to protect the welfare of the child.

Section 453.110

Provides for up to a one-year temporary placement of a child by the parent without a court order.

Section 630.097

Requires the Department of Mental Health to develop, implement, and administer a unified accountable comprehensive children's mental health service system in conjunction with other state agencies and organizations.

Section 1

Requires the DFS to submit amendments to state plans to enhance federal reimbursement for foster care and adoption assistance.



DESCRIPTION (continued)

Section 2

Requires the DFS to conduct a diligent search for the natural parents of children in custody.

Section 3.

States this act shall be known and may be cited as the "Dominic James Memorial Foster Care Reform Act of 2003.

Section 4.

The Department of Mental Health and the Department of Social Services shall jointly prepare a plan to address the need for mental health services and supports for children in Department of Social Services custody.

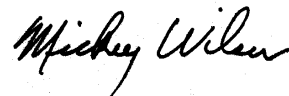
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

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SOURCES OF INFORMATION

Department of Social Services  
Missouri Senate  
Missouri House of Representatives  
Secretary of State  
Department of Mental Health  
Department of Public Safety -  
    Missouri Highway Patrol  
Attorney General Office  
Office of Prosecution Services  
Department of Health and Senior Services  
State Public Defender  
Office of State Courts Administrator  
Department of Elementary and Secondary Education

**Not Responding: Department of Corrections**



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